THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19886 of 2007

Between:

Ghousia Mosque and Grave Yard.

.. PETITIONERS

and

The District Collector and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.19886 of 2007

ORDER:

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Revenue appearing for the respondents.

It is the case of the petitioner that the Mandal Revenue Officer, Serilingampally Mandal, Ranga Reddy District-5th respondent, through his proceedings No.B/739/98, dated 31-03-1998, resumed the land from the possession of the petitioner an extent of Ac.1-00 gts. in Sy.No.41/3 situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District, on the ground that the Government land to an extent of Ac.5-00 gts. in Sy.No.41/3 was assigned in favour of one Sri Shakaraiah during the year 1961-62. After his death, his wife and sons sold the land admeasuring Ac.1-00 gts. in favour of the father of the petitioner and after his death, the petitioner is in possession and enjoyment of the said land and the said purchase is in contravention of Section 3 of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. Questioning the said order, the petitioner filed W.P.No.11435 of 1998 before this Court. This Court by order, dated 30-08-2006, disposed of the said writ petition giving liberty to the petitioner to file a revision before the Joint Collector within a period of two weeks from the date of receipt of a copy of the order. It is stated that copy of the said order was furnished to the petitioner only on 30-06-2007 and thereafter, the petitioner filed a revision before the Joint Collector. But, however, the Joint Collector rejected to receive the same. Therefore, the petitioner seeks to issue a Writ of Mandamus declaring the action of the respondents in interfering with the peaceful possession and enjoyment of the land admeasuring Ac.1-00 gts. in Sy.No.41/3 of Khanamet Village, Serilingampally Mandal, Ranga Reddy District, as illegal arbitrary.

Admittedly, W.P.No.11435 of 1998 was disposed of on 30-08-2006, i.e., more than a year back. A perusal of the material available on record, there is no proof of receipt of the said order either by the counsel for the petitioner or the petitioner only on 30-06-2007. Further, there is also no proof that the said order was not at all communicated either to the counsel for the petitioner or the petitioner. Therefore, I do not see any merit in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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20-09-2007

Prv